

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10986 NG

ULYSSES RODRIGUEZ CHARLES,  
Plaintiff,

v.

CITY OF BOSTON et al.,  
Defendants.

**REPLY TO "PARTIAL OPPOSITION TO DEFENDANTS CITY OF BOSTON AND  
STANLEY BOGDAN'S MOTION FOR A PROTECTIVE ORDER" BY DEFENDANTS  
CITY OF BOSTON AND STANLEY BOGDAN**

Now come the defendants, City of Boston and Stanley Bogdan, ("the defendants"), and reply to plaintiff's opposition to their motion for a protective order. As grounds, the defendants state:

1. The defendants seek to protect the privacy rights of victims, witnesses and the parties.
2. Accordingly, the defendants seek to restrict the plaintiff's ability to make public and disclose certain personal, private and confidential documents.
3. The defendants - through their motion - are not seeking to restrict the disclosure or "discoverability" of documents but merely what plaintiff can do with these documents once

he receives them. The plaintiff's opposition combines and confuses these two issues.

4. Plaintiff disclosed the names of the rape victims in his complaint. Plaintiff has not moved to redact the victims' names or amend the complaint.
5. It is unlawful to disclose the names of alleged rape victims in Massachusetts. See M.G.L. c.265 § 24C and c.41 § 97D.
6. Protective orders are favored in civil rights cases of this type to protect the privacy of victims, witnesses and parties. Similar orders have been entered by this Court. See Cowans v. City of Boston et al., Civil Action No. 05-11574 RGS, Miller v. City of Boston et al., Civil Action No. 03-10805 JLT. See also Valenzuela v. City of Boston, Civil Action No. 03-11245 RGS.
7. Allowing the proposed Protective Order will limit discovery disputes and lessen the burden on the Court. See proposed Protective Order, attachment #1, docketed January 17, 2006, paper # 46.

8. The order does not restrict the dissemination of information gained from other sources. Ibid. ¶ 10.

The defendants request that the Court allow their motion and protect the public dissemination of limited private information.

**REQUEST FOR ORAL ARGUMENT**

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON and  
STANLEY BOGDEN,  
Merita A. Hopkins  
Corporation Counsel  
By their attorney:

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Dated: February 14, 2006